

REMARKS

Claims 1-27 were pending in this application. By this response, Applicants have canceled claims 1-4, 9-20, and 27 without prejudice and without disclaimer of the subject matter contained therein. Claims 5-8 and 21-26 remain pending.

Communication

This reply is in response to the February 6, 2006 communication from the Office indicating that Applicants' December 20, 2005 Response to the Requirement for Restriction was non-responsive. The Communication did not set forth any deadline for response. As discussed with Examiner Li, the deadline appears to be the longer of 30 days or one month from the mailing of the communication. Examiner Li indicated he would include a statement to this effect in an interview summary. Nevertheless, in an abundance of caution, Applicants file the response within the statutory period for responding to the original restriction requirement. Although we believe no fee is due, since the December 20, 2006 response was a bona fide response and Applicants hereby respond within 30 days from the February 6, 2006 Communication, the Commissioner is hereby authorized to debit deposit account 50-1275 if necessary.

Election/Restriction

As stated in the previous response, the Office Action has required restriction among the two allegedly patentably distinct inventions below:

- I. Claims 1-26 drawn to a method for identifying a modulator of a G protein-coupled receptor comprising an endogenous human ARE-2 polypeptide, classified in class 435, subclasses 4 and 6.
- II. Claim 27, drawn to a method of modulating the functionality of a G protein-coupled receptor comprising an endogenous human ARE-2 polypeptide, classified in class 435, subclass 4.

In response to the restriction requirement, Applicants again hereby elect Group I, claims 1-26, with traverse. In satisfaction of the further requirement, Applicants also identify a single sequence, represented by SEQ ID NO. 20. In doing so, Applicants reserve the right to pursue the subject matter of the non-elected claims in one or more divisional or continuing application(s). Applicants respectfully traverse the restriction requirement as set forth in the December 20, 2005 response.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the restriction requirement.

Claim Amendments

Claims 1-4, 9-20, and 27 have been cancelled without prejudice and without disclaimer of the subject matter contained therein. Applicants respectfully assert that the remaining claims are drawn to the invention of group I and hereby identify the single sequence ID no., SEQ ID NO. 20, as required by the Examiner.

The Commissioner is hereby authorized to charge any fee or underpayment thereof or credit any overpayment to deposit account no. 50-1275.

Early reconsideration and allowance of all pending claims is respectfully requested. The examiner is requested to contact the undersigned attorney if an interview, telephonic or personal, would facilitate allowance of the claims.

Respectfully submitted,

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